

PROB 12B
(Rev. D/NM-5/03)

**UNITED STATES DISTRICT COURT
For The
DISTRICT OF NEW MEXICO**

FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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CLERK-LAS CRUCES

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

Name of Offender:	Michael Estrada
Case Number:	2:01CR00071-001MV
Name of Sentencing Judge:	Honorable Martha Vázquez, Chief United States District Judge
Date of Original Sentence:	December 19, 2001
Original Offense:	Distribution of Less Than 500 Grams of Cocaine (2 Counts)
Original Sentence:	18 months custody, followed by 3 years supervised release
Special Conditions:	Participate in substance abuse program; Refrain from the use of all intoxicants, including alcohol; Provide the United States Probation Office access to any requested financial information
Date Supervision Commenced:	February 3, 2004
Other Court Action:	Supervised release revoked on January 16, 2004. Defendant sentenced to 205 days custody, followed by 19 months supervised release. Petition to revoke second term of supervised release filed February 11, 2004, and remains pending.

The original presentence report is attached.

PETITIONING THE COURT

- To extend the term of supervision , for a total term of .
 To modify the conditions of supervision as follows:

The defendant shall reside at and complete a program at a community corrections center for a period of 90 days, as approved by the probation officer.

JUSTIFICATION

The defendant was arrested on February 10, 2004, based on the currently pending petition for revocation of supervised release. On March 29, 2004, the defendant was ordered released from custody to participate in a residential substance abuse program at the New Mexico Rehabilitation Center, in Roswell, New Mexico. On April 20, 2004, he successfully completed the program. The probation office is recommending the proposed modification in order to allow the defendant to continue treatment on an outpatient basis, in a structured setting, which should increase his chance for a successful recovery. He has agreed to the modification as indicated by the attached Probation Form 49, Waiver of Hearing to Modify Conditions of Supervised Release. Additionally, the probation office has indicated to the defendant that should he successfully complete the 90 day placement, we will recommend to the Court that the petition for revocation be dismissed.

76.

Submitted:

U.S. Probation Officer
Robert Rosenbloom

Reviewed:

Supervising U.S. Probation Officer

April 26, 2004

Date

4/26/04

Date

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

Witness:

See attached Probation Form 49

U.S. Probation Officer
Robert Rosenbloom

Signed:

See attached Probation Form 49

Probationer or Supervised Releasee

Date

Date

Attorney:

Dennis Candelaria, notified by telephone

Attorney

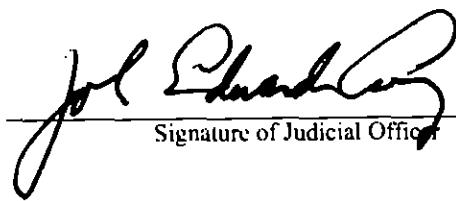
April 26, 2004

Date

THE COURT ORDERS:

- The conditions of supervision be modified as noted above and made a part of the record.
 The term of supervision is extended as noted above and made a part of the record.
 Other:

Considered this 27th day of
April, 2004 and made a part of
the records in the above case.



A handwritten signature in black ink, appearing to read "John Edward Clegg".

Signature of Judicial Officer